

December 8, 1989 _____, 2015

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CHAPTER I. INCORPORATION AND GENERAL POWERS

SECTION 101. Incorporation

All the inhabitants dwelling within the territorial limits of the town of Rocky Hill, as heretofore constituted, shall continue to be a body politic and corporate under the name of “The Town of Rocky Hill”, hereinafter called “the Town”^{2,3}, and as such shall have perpetual succession and may hold and exercise all powers and privileges herein conferred and all powers and privileges conferred upon towns under the general law of the State of Connecticut.

SECTION 102. Rights and Obligations

All property, both real and personal, all rights of action and rights of every description and all securities and liens vested or inchoate in said town as of the effective date of this Charter are continued in said town and said town shall continue to be liable for all debts and obligations of every kind for which said town shall be liable on said date, whether accrued or not. Nothing herein shall be construed to affect the right of said town to collect any assessment, charge, debt, or lien. If any contract has been entered into by said town prior to the effective date of this Charter or any bond or undertaking has been given by or in favor of said town which contains provisions that the same may be enforced by any commission, board, department or officer therein named, which is abolished by the provisions of this Charter, such contracts, bonds or undertakings shall be in no manner impaired but shall continue in full force and effect and the powers conferred and the duties imposed with reference to the same upon any such commission, board, department or officer shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the Town Council of said town.

SECTION 103. General Grant of Powers

In addition to all powers granted to towns under the constitution and general law, the Town shall have all powers specifically granted by this Charter and all powers fairly implied in or incident to the powers expressly granted, and all other powers incident to the management of the property, government and affairs of the Town, including the power to enter into contracts with the United States or any federal agency, State of Connecticut or any political subdivision thereof for services and the use of facilities, the exercise of which is not expressly forbidden by the constitution and general law of the State of Connecticut. The enumeration of particular powers in this and any other chapter of this Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto.

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CHAPTER II. ELECTION

SECTION 201. Regular Town Election

The first regular town election after the adoption of this Charter shall be on the first Tuesday after the first Monday in November ~~1991~~2015. Thereafter, the regular town election shall be held biennially. All officials duly elected at such regular town elections, upon qualification, shall take office on the Monday, or Tuesday in the event of a holiday, following their election and they shall hold office until their successors have been chosen and qualified. Except as otherwise provided in this Charter, all elective town officers, boards and commissions shall have the powers and duties prescribed by law.

SECTION 202. Elective Officers

At each such town election there shall be elected in accordance with the provisions of the Connecticut General Statutes the following: a mayor, eight (8) council members, ~~three selectmen~~, a board of tax review, a zoning board of appeals, nine (9) members of the board of education as hereinafter provided. Two (2) registrars of voters shall be elected biennially for two (2) year terms and sixteen (16) justices of the peace shall be elected by town caucus as provided by the Connecticut General Statutes. Nothing contained herein shall affect the power of the council to prescribe the number of justices of the peace by ordinance, adding to or decreasing as shall be deemed expedient.

SECTION 203. Terms of Elective Office

The terms of all officers elected by the town election shall be two (2) years from the first Monday, or Tuesday in the event of a holiday, following their election and in no case shall the term of any elective officer expire until the election and qualification of ~~his~~the successor.

A. Board of Education

The ~~b~~Board of ~~e~~Education shall consist of nine (9) members. At the biennial election in November 2015, and at each biennial election thereafter, a nine-member board of education shall be elected for terms of ~~two (2)~~four (4)~~two (2)~~ years. No elector shall vote for more than a bare majority.

B. ~~Board of Tax Review~~Board of Assessment Appeals

The ~~present~~ Board of ~~tax review~~ Assessment Appeals shall continue. It shall consist of three (3) members. At the biennial election in November ~~1991~~ 2015, and at each biennial election thereafter, three ~~(3)~~ (3) members of the ~~board of tax review~~ board of assessment appeals shall be elected for terms of two (2) years.

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C. Zoning Board of Appeals

At the biennial election in November ~~1991~~2015, and at each biennial election thereafter, five (5) regular and three (3) alternate members shall be elected for two (2) year terms to the Zoning Board of Appeals.

SECTION 204. Nomination of Candidates

The name of any elector of the Town shall be placed on the ~~ballots voting machines at~~ the municipal election as a candidate for any office to be filled, if ~~he the elector~~ has been nominated by a political party in accordance with the provisions of the Connecticut General Statutes.

SECTION 205. **Determination of Sufficiency**

The Town Clerk shall determine the sufficiency of any such petitions pursuant to the Connecticut General Statutes.

SECTION 206. Breaking a Tie

When, as the result of any municipal, primary, or special election held under the provisions of this Charter, it is necessary to break a tie, a ruling by the general election laws of the State of Connecticut shall prevail. The names of candidates shall be arranged in alphabetical order as provided in this Charter. The term of any official elected by breaking a tie shall commence on the first Wednesday following ~~his~~the election.

SECTION 207. Minority Representation

At each regular election no political party shall nominate and no elector shall vote for more than the Mayor, ~~five (5)~~four (4)~~five (5)~~ members of the Council, ~~two (2)~~ Selectmen, five (5) members of the Board of Education, two (2) members of the ~~Board of Assessment Appeals~~Board of Tax Review, three (3) members of the Zoning Board of Appeals, and two (2) alternate~~five~~ members of the Zoning Board of Appeals, as shall be determined by the provisions of this Charter and the Connecticut General Statutes. Each political party shall elect by caucus one-half of the total number of Justices of the Peace. Election of all officers mentioned in this section, except the office of Mayor, shall be determined in accordance with the minority representation provisions of the Connecticut General Statutes.

SECTION 208. Vacancies in Elective Offices

Vacancies in elective offices, except in the Board of Education, from whatever cause arising, shall be filled by the Council for the period until the next regular town election.

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CHAPTER III. THE MAYOR

SECTION 301. Election and Qualification

At each regular biennial town election, a Mayor shall be separately elected by the electors and shall serve until ~~his~~the successor shall be elected and qualified. ~~He~~The Mayor shall take office on the Monday, or Tuesday in the event of a holiday, following the biennial town election. The candidate receiving a plurality of the votes cast for this office shall be the Mayor. However, the candidate next in the order of votes received for Mayor shall have the votes ~~he~~they received for Mayor included in the compilation and the determination of the Council membership.

SECTION 302. Duties

The Mayor shall be a member and the presiding officer of the Council, and ~~he~~ shall call it to order and shall have one vote, but only one vote, on each matter voted upon by the Council. The Mayor shall be recognized as the Official Head of the Town for ceremonial purposes and for military purposes. ~~He-The Mayor~~ shall keep ~~himself~~ informed on Town matters and may make reports and recommendations to the Council and electors of the Town on matters of legislative concern and general town policy. The Mayor may attend any meeting of any board, commission or other governmental body of the Town and shall receive such advance notification of any such meeting as is given to the members of said bodies. ~~He-The Mayor~~ shall have the full right of participation in discussions but shall not have the right to vote.

SECTION 303. Appointments

A. Subcommittees of the Council

The Mayor, as directed by the Council, shall appoint such special subcommittees of the Council as are required but shall in no way have the power to make appointments which are the responsibility of the Council or the Town Manager.

B. Other Appointed Officers

The Mayor shall request recommendations, from the respective political parties, which shall be submitted to the Council for all appointed offices for which the Council has the power of appointment, but this shall not preclude any other member of the Council from making nominations for the same positions.

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CHAPTER IV. COUNCIL

SECTION 401. Composition

The Council shall consist of the Mayor and eight (8) members who shall be elected from the Town at large at each regular Town election for terms of two (2) years as provided herein.

SECTION 402. Powers

The Council shall be the governing and legislative body of the Town and shall have, exercise, and perform all the rights, powers, duties and obligations which, on the effective date of this Charter, were conferred by law or may hereafter be conferred by the General Statutes upon the town meeting and upon town commissions, boards, departments, and offices existing immediately prior to such date, except as the same may be assigned by this Charter, and except as may be inconsistent with the laws of the State. ~~The Council shall choose a clerk.~~ The Council shall have the final authority concerning the budget and the tax rate except as otherwise provided in this Charter. It shall further have power to make, alter and repeal ordinances or resolutions not inconsistent with this Charter and the general laws of the State for the execution of the powers vested in the Town, for the government of the Town and the management of its business, and for the preservation of the good order, peace, health and safety of the Town and its inhabitants.

SECTION 403. Organization

Each newly elected Council shall meet for organization in the Town Hall at 8:00 P.M. on the Monday, or Tuesday in the event of a holiday, following its election. The meeting shall be called to order by the Town Clerk, who shall administer the oath of office to all members. In the absence of the Town Clerk, the meeting may be called to order and the oath administered by any citizen of Rocky Hill authorized by law to administer oaths. The newly elected Mayor shall then assume the chair as permanent presiding officer of the Council and shall designate a ~~chairman pro tem~~Deputy Mayor from among the members of the Council to preside in ~~his-the Mayor's~~ absence. In the event that both the Mayor and the ~~chairman pro tem~~Deputy Mayor are absent or unable to perform their duties, such duties shall be performed during the period of their absence or disability by a member chosen by the Council. The presiding officer, whether the Mayor or any ~~chairman pro tem~~Deputy Mayor, shall have one vote, but only one vote, on each matter voted by the Council.

SECTION 404. Procedure

The Council shall fix the time and place of its regular meetings and provide a method for calling special meetings. Only business, notice of which has been included in the call for

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CHAPTER V. THE TOWN MANAGER

SECTION 501. Appointment, Qualification and Tenure

The Town Manager shall be appointed and may be removed or suspended by the Council by at least six (6) affirmative votes of the membership of the Council. The Town Manager shall be the chief executive officer of the Town to serve at the pleasure of the Council for an indefinite term and who shall be chosen exclusively on the basis of ~~his~~ their executive and administrative qualifications, character, education, professional training and experience. At the time of ~~his-their~~ appointment, ~~he-they~~ need not be a resident of the Town or State, but during ~~the his~~ tenure of office, ~~he-they~~ shall reside within the Town. The Council shall set a time limit wherein the Town Manager will become a resident of the Town. ~~He~~The Town Manager shall devote ~~his-their~~ full time to the duties of ~~his-the~~ office.

SECTION 502. Powers and Duties

The Town Manager shall have the power and duties conferred upon the chief executive officers of Town by the Connecticut General Statutes and which are not otherwise expressly provided for in this Charter. He-The Town Manager shall be directly responsible to the Council for the supervision and administration of all commissions, boards, departments, offices and agencies of the Town except those elected by the people, appointed by the Council or appointed by a regional, State or Federal authority. He-The Town Manager shall see that all laws and ordinances governing the Town are faithfully executed, shall make periodic reports to the Council, and shall attend its meetings with full right of participation in its discussions but without the right to vote, and shall prepare and cause to be printed, as soon as possible after the close of the fiscal year, an annual report; shall recommend to the Council such measures as he-they may deem necessary or expedient; shall keep the Council fully advised as to the financial condition of the Town; shall prepare and submit to the Council an annual budget; and shall exercise such other powers and duties of the Town Manager, except those powers and duties imposed on him them by the Council under the provisions of this section, provided that the powers and duties conferred upon the chief executive officers of towns by the Connecticut General Statutes shall not be diminished. The Town Manager shall serve as the Director of Public Safety unless directed otherwise by the Town Council.

SECTION 503. Appointments

The Town Manager, except as otherwise specifically provided in this Charter, shall appoint all department heads and other officers and employees of the Town and may remove all those over whom ~~he~~they ~~has~~have the power of appointment. The Town Manager shall not appoint a member of ~~his~~their family or any relative to a position wherein ~~he~~they ~~have~~have the power of appointment. All appointments and removals shall be in

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CHAPTER VI. OFFICERS AND BOARDS RESPONSIBLE TO COUNCIL

SECTION 601. Town Clerk

The Town Clerk shall be appointed by the Town ~~Council~~Manager for an indefinite term and may be removed only by ~~six (6) affirmative votes of the membership of the Council~~the Town Manager. In addition to the powers and duties prescribed for Town Clerks by the Connecticut General Statutes, ~~he the Town Clerk~~ may act as the clerk of the ~~e~~Council, keep a journal of its proceedings, which shall be a public record, and perform such other duties as may be assigned ~~him~~by this Charter ~~or by action of the Council~~or by the Town Manager. ~~Be~~The Town Clerk shall have such deputyies, clerks ~~and other assistants as the Council~~as the Town Manager shall may determine by ordinance. ~~He~~The Town Clerk shall have such other powers and duties as are prescribed in this Charter ~~or by the Council~~. ~~He~~The Town Clerk shall receive such compensation as the ~~Council~~Town Manager may determine. All fees collected by the Town Clerk, except those collected on behalf of the State, shall be paid into the Town Treasury.

SECTION 602. Town Attorney

There shall be a Town Attorney who shall be an attorney-at-law admitted to practice in this State, who shall be appointed by the Council for a term of two (2) years beginning with the first Council meeting ~~in~~^{on} January, following each biennial election, and may be removed by the Council by at least six (6) affirmative votes. In the event of a vacancy for whatever cause arising in the office of Town Attorney, the Council shall fill said vacancy for any remaining unexpired portion of the term. It shall be the duty of the Town Attorney to be the legal advisor of the Council, Town Manager, and all departments, officers, boards, commissions, and agencies of the Town; to represent the Town in all litigation in which the Town or any department, officer, board, commission or agency thereof is a party, except as otherwise provided by the Council; and to prepare on request of the Town Manager, the Council, or any member thereof ordinances and resolutions for consideration by that body. ~~He~~The Town Attorney shall have such clerical and other assistants as the Council may determine by ordinance. ~~He~~The Town Attorney shall receive such compensation as the Council may determine.

SECTION 603. Director of Health

The Town Manager shall appoint a Director of Health with Council approval. The Director of Health shall perform such functions and have such powers and duties as are prescribed by the Council and imposed by the Connecticut General Statutes on Directors of Public Health. ~~He~~The Director of Health shall have the duty of enforcing the laws, ordinances, and regulations concerning public health. ~~He~~The Director of Health shall receive such compensation as the ~~Town Manager-Council~~ may determine and shall have such assistants and employees appointed by the Town Manager in accordance with and

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- A. The Personnel Review Board shall hear appeals from any action pertaining to any disciplinary action suspending, demoting or removing any full time employee or regular part time employee (working 20 hours or more weekly on an annualized basis) and not represented by a bargaining unit and report in writing to the person taking the action appealed from its findings and decisions therein;
- B. The Board shall adopt rules for the conduct of hearings;
- C. The Board shall report in writing the recommended decision on disciplinary actions to the appointing authority.

The Council shall appoint for a two (2) year term an Auditor in accordance with the provisions of the Connecticut General Statutes to annually examine and to certify to the financial records of the Town. ~~He~~The Auditor shall receive such compensation as the Council may determine.

Vacancies in appointive offices and boards responsible to the Council from whatever cause arising shall be filled by the ~~e~~Council for the unexpired term of office. All full terms of office shall begin on the first Council meeting ~~on~~in January in the year of appointment and shall be deemed to end on the day before the first Council meeting in January or when ~~his~~their successor is appointed.

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SECTION 701. Department of Finance

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The Director of Finance is the Chief Financial Officer of the Town and therefore has an extreme fiduciary obligation to safeguard Town assets as is a common expectation for such role.

There shall be a Town Treasurer appointed by the Town Manager for an indefinite term. It shall be the duty of the Treasurer to receive and safely keep all monies belonging to the Town by depositing the same in a bank or banks to be selected by ~~him-them~~ with the approval of the Council. ~~He-The Treasurer~~ may invest from time to time in securities of the United States or time or demand deposits with the approval of the Council monies of the Town not needed for immediate expenditure. ~~He-The Treasurer~~ shall likewise invest any trust funds of the Town for which other provision has not been made by the terms of the gift creating such fund in securities legal for the investment of trust funds in Connecticut. ~~He-The Treasurer~~ shall keep such accounts as shall be prescribed by law or ordinance or by the orders of the Director of Finance, approved by the Town Manager. No money shall be drawn from any Town account except by check, countersigned by the Treasurer or ~~his-the~~ deputy, and neither of them shall affix ~~his-their~~ signature to any such check unless ~~he-is/they are~~ satisfied that the expenditure represented thereby has been legally incurred. ~~The deputy of the Treasurer authorized to sign checks shall be appointed by the Town Manager. The Treasurer shall have such other assistants, to be appointed by him/them, as the Council may determine by ordinance.~~ Except as otherwise provided by this Charter, the Tax Collector and the Assessor shall respectively have all the powers and duties conferred upon Tax Collectors and Assessors by the Connecticut General Statutes and other duties as may be assigned to them by the Town Manager. The Purchasing Agent shall purchase all supplies, materials and equipment required by all commissions, boards, departments and offices of the Town, except the Board of Education, with respect to the purchase of supplies and materials that are clearly education oriented, and the Library Board of Trustees, with respect to the purchase of books and other materials peculiar to libraries. The Board of Education and the

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Library Board of Trustees may avail themselves of the Purchasing Agent's services in purchasing any commodity or service. The Purchasing Agent shall have other such duties as may be prescribed by the Town Manager.

SECTION 703. Police Department

~~A. Department of Public Safety~~Police Department

~~There shall be a Department of Public Safety, which shall consist of the Divisions of Police, Fire, Building Inspection and Civil Preparedness. Upon the Council's direction the Town Manager shall appoint the Director of Public Safety, with the Council's approval. The Director of Public Safety shall be responsible to the Town Manager for all fiscal, administrative, personnel and operational matters, for all divisions within the Department of Public Safety. The division heads shall consult with the Director on all such matters. The Director may review and modify all policies and procedures of each division and shall review and approve or disapprove all policy changes, disciplinary actions, and all other substantive actions sought to be implemented by division heads. In the event that the Director of Public Safety has not been appointed or is temporarily absent or disabled, the Town Manager shall serve as the Director of Public Safety.~~

B. ~~Division of Police~~

There shall be a Division of PolicePolice Department consisting of the Chief of Police, appointed by the Town Manager, and such other officers and employees of such ranks and grades as the Council may determine. ~~Said officers and employees shall be appointed by the Town Manager.~~ The Division of PoliceThe Police DepartmentDepartment shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of rights of persons and property, and enforcement of the Connecticut General Statutes and the ordinances of the Town, and all rules and regulations made in accordance therewith. All members of the Division of PolicePolice Department shall have the same powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in Police Officers by the Connecticut General Statutes. The powers and duties of the Animal Control Officer, as provided in the Connecticut General Statutes, shall be vested in the Division of PolicePolice Department in accordance with a job description ~~as determined by the Director of Public Safety~~. The Chief of Police shall be the chief administrative officer of the Division of PolicePolice Department. ~~He-The Chief of Police~~ shall assign all members of the division to their respective posts, shifts, details and duties. ~~He The Chief of Police, be shall be~~ responsible for the care and custody of all property used by the division-department and disposal thereof, and for the efficiency, discipline and good conduct of its members and shall make rules for the operation of the division-department and the conduct of police work, ~~subject to the approval of the Director of Public Safety~~. The violation of these rules by any member of the division-department shall be punishable by appropriate disciplinary action, which may include loss of pay, suspension

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~~SECTION 706.~~ SECTION 709. Library Director

There shall be a Library Director appointed by the Town Manager who shall be responsible for the administration and operation of the Cora J. Belden Library, and who shall be responsible for the hiring of all library staff. The Director shall receive such compensation as the Council may determine. There shall be a Board of Trustees consisting of six (6) members who shall be appointed by the Council to two (2) year terms, with such terms beginning on the first Council meeting ~~on~~ⁱⁿ January following the biennial election, and who shall act in an advisory capacity to the Library Director. Vacancies shall be filled by the Council for the unexpired term in accordance with Connecticut General Statutes. The trustees shall serve without compensation.

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SECTION 710. Other Departments, Offices and Agencies

There shall be such other departments, offices and agencies, organized in such manner as the Council shall determine by ordinance, provided that the appointing authority for all such departments, offices and agencies shall be the Town Manager.

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CHAPTER VIII. FINANCIAL PROVISIONS AND TAXATION

SECTION 801. Fiscal Year

The fiscal year of the Town shall begin on the first 1st day of July and end on the thirtieth (30th) day of June.

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SECTION 802. Scope of Annual Budget

The budget shall contain:

- A. An estimate of all revenue cash receipts anticipated from sources other than the tax levy of the ensuing fiscal year;
- B. An estimate of the general fund cash surplus at the end of the current fiscal year or of the deficit to be made up by appropriation;
- C. The estimated expenditures necessary for the operation of the several departments, offices and agencies of the Town;
- D. Debt service requirements for the ensuing fiscal year;
- E. An estimate of the sum required to be raised by the tax levy for the ensuing fiscal year, assuming a rate of collection not greater than the average rate of collection in the year of levy for the last three (3) completed fiscal years; and
- F. A balanced relation between the total estimated expenditures and total anticipated revenue cash receipts, taking into account the estimated general fund cash surplus or deficit at the end of the current fiscal year.

All estimates shall be in detail showing revenues by sources and expenditures by program. The expenditure program shall be presented in terms of organization units and activities. The budget shall be so arranged as to show comparative figures for receipts and expenditures for the prior year and for the current year, both adopted and revised, and the Town Manager's recommendations for the ensuing year. The Town Manager shall prepare and submit to the Council, as part of the annual budget, a ~~five--~~year capital improvement program, including a clear general summary of its contents, a list of all capital improvements which are proposed to be undertaken during the next five fiscal years with supporting information, costs, estimates, method of financing and recommended time schedule for each capital improvement.

SECTION 803. Departmental Estimates

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of Finance, and all payments shall be made by check drawn on the Town of Rocky Hill bank account signed by the Director of Finance and countersigned by the Town Treasurer, as provided in Chapter VII, Section 702 of this Charter. All payrolls, bills or other claims against the Board of Education shall be audited as such Board may provide, and payments shall be made by check, signed by an agent designated by the Board of Education and countersigned by the Town Treasurer, as provided in Chapter VII, Section 702. The Director of Finance and the Treasurer, on approval of the Council and the Board of Education, shall each designate a deputy, or deputy agent covered by the bond of ~~his~~the principal, who may sign or countersign certificates, payrolls, bills, claims and checks.

SECTION 819. Fees Collected by Town Officers and Employees

All fees and monies collected by officers and employees of the Town in their official capacity, except those collected on behalf of the State, witness fees payable to police officers and fees payable to ~~constables and j~~ustices of pPeace, shall be paid to the Town treasury.

SECTION 820. Official Bonds

The Town Manager, Town Clerk, Director of Finance, Treasurer, Tax Collector, Building Inspector and persons authorized to sign and countersign Town checks and such other officers and employees as may be determined by the Council shall, before entering on their respective duties, execute to the Town, in ~~athe~~ form prescribed by the Council and approved by the Town Attorney and file with the Town Clerk, a surety bond in a penal sum to be fixed by the Council, conditioned upon the honest and faithful performance of such official duties. The Council, if it deems to be in the best interest of the Town, may prescribe a name schedule bond, schedule position bond or blanket bond, or may designate which commissions, boards, departments, offices and agencies shall be covered by a specific type of the aforementioned bonds. Premiums for such bonds shall be paid by the Town.

SECTION 821. Penalties for Violation of the Provisions of this Charter

Any person or persons who make or cause to be made any payment from Town monies in violation of the provisions of this Charter, or who receive such payment shall be jointly and severally liable to the Town for the full amount of such payment. Any contract, verbal or written, made in violation of this Charter shall be null and void. Any person or employee of the Town who knowingly and intentionally violates any of the provisions of this Charter may be subject to removal.

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SECTION 822. Annual Audit

The Council shall cause an audit of the Town accounts, including those of the Board of Education, to be made once a year, or more often if deemed necessary by the Town Auditor, as provided for in Chapter VI, Section 6104. The report of such audit shall be a public record and available for public inspection.

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CHAPTER IX. PERSONNEL

SECTION 901. Merit System

Officers and employees in the classified service of the Town, as described in Section 902 below, shall be appointed, promoted and removed solely on the basis of merit and fitness, as demonstrated by examination or other evidence of competence. The Council shall by ordinance establish and maintain a classified service system, including a grievance procedure, for all Town employees, except the following: ~~e~~Elective officers and persons appointed to fill vacancies in elective offices; members of boards and commissions and other officers appointed by the Council; professional employees of the Board of Education; persons employed in professional capacity to make or conduct a temporary or special inquiry, study or investigation; ~~and~~ persons employed for a temporary period not exceeding three (3) months, and boards and commissions appointed by the Town Manager.

SECTION 902. Classified Service

The classified service shall include appointees to all positions now or hereafter created, except those noted in Section 901. It shall be the duty of the ~~personnel director~~Director of Human Resources to cause to be prepared a statement of the duties and responsibilities of each position in the classified service and of the minimum qualifications for appointments to such positions. These statements shall comprise the classification plan of the Town, which shall become effective upon approval by resolution of the Council and which may be amended, upon recommendation of the ~~personnel director~~Director of Human Resources, by resolution of the Council. New or additional positions in the classified service may be created and changes in the duties and responsibilities of existing positions may be made by resolution of the Council upon recommendation of the ~~personnel director~~Director of Human Resources. A pay plan for all positions in the classified service shall be similarly prepared, adopted and amended. The ~~personnel director~~Director of Human ServicesResources shall also cause to have prepared a set of ~~p~~Personnel ~~r~~Rules which shall provide, among other things, for the method of holding competitive examinations, administration of the classification plan, probationary periods of employment, hours of work, vacations, sick leaves and other leaves of absence, removals, and such other rules as may be necessary to provide an adequate and systematic procedure for the handling of the personnel affairs of the Town. Such rules and any amendments thereto become effective upon being filed by the ~~personnel director~~Director of Human Resources with the Town Clerk. Copies of such rules and any amendments thereto shall be distributed to all members of the classified service.

SECTION 903. ~~Personnel Director~~Director of Human Resources

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~~The Town Manager, or, when the Council shall so determine, a person qualified in personnel administration appointed by the Town Manager, in accordance with this chapter, shall be the personnel director of the Town. He The pPersonnel dDirector shall be responsible for administering the personnel affairs of the Town and for making recommendations respecting personnel matter s to the Council and the Town Manager. shall serve as the Director of Human Resources, or shall select and appoint a person with training, experience, qualifications and fitness in personnel administration. The Director of Human Resources shall be responsible to the Town Manager and shall have the authority and be required to establish and administer standards of personnel administration in conformity with recognized principles, laws and regulations of public personnel administration, and shall make recommendations to the Town Manager and Town Councilset.~~

SECTION 904. ~~Prohibitions~~Discrimination Prohibited

No Town employee or applicant for employment by the Town shall be appointed, promoted, reduced, removed, or in any way favored or discriminated against because of his race, religion, political affiliations, national origin, sex, marital status, or any other reasons unconnected with the performance of the duties of the position. The Town shall not, except in the case of a bona fide occupational qualification or need, refuse to hire or employ or to bar or to discharge from employment any individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment because of the individual's race, color, religious creed, age, sex, sexual orientation, marital status, national origin, ancestry, present or past history of mental disability, mental retardation, learning disability or physical disability, including , but not limited to, blindness.

SECTION 905. Retirement

The Council may provide by ordinance a system of retirement allowances for the Town's regular, full time, paid employees and for contributions by employees and the Town to a fund from which such allowances shall be paid. The Town may ~~or~~ enter into contract with any company or institution authorized to do business in this State for the purpose of insuring the whole or any part of its retirement plan; elect to participate in the Connecticut Municipal Employees' Retirement Funds; or elect any combination thereof. ~~to participate in the old age and survivors insurance system under Title II of the Social Security Act, in accordance with provisions of Part II of Chapter 113 of the 1958 Revision, as amended, of the General Statutes of the State of Connecticut; or elect any combination thereof.~~ The Council may authorize the transfer of the management and investment of the Town's pension funds to any fiduciary institution chartered or licensed to operate in the State of Connecticut under the provisions of the General Statutes, Revision of 1958, as amended.

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SECTION 906. Status of Present Employees

All persons holding positions or offices on the effective date of this Charter, which are not abolished by the provisions of this Charter, shall retain such positions or offices pending action by the Council or the appropriate appointing authority charged by this Charter with the power of appointment and removal, and shall not be removed except as provided for in this Charter. All persons holding positions in what shall be the classified service of the Town on the effective date of this Charter shall retain such position without preliminary or working tests and shall thereafter be subject in all respects to the provisions of this Charter.

SECTION 907. Conflict of Interest

Any elected or appointed Town official, or any Town employee, who has a financial interest in any matter to be acted upon or coming before this board, commission or office, shall make full record disclosure in writing of that interest, which shall be incorporated in the minutes of the particular board, commission or office, and a full copy of such minutes shall be filed in the office of the Town Clerk, and the Town official or employee ~~he~~ shall be disqualified to act in any way upon such matter. Violation of this section with knowledge, express or implied, of any person or corporation participating in such matter or decision shall be an additional ground ~~for~~ appeal, which will nullify the action of such board, commission or office upon appeal to the appropriate court under the ~~S~~tatutes applicable to appeals from such boards, commissions or offices.

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CHAPTER X. BOARD OF EDUCATION

SECTION 1001. Board of Education

The Board of Education shall perform such duties and have such powers as are or may be imposed or vested by the Connecticut General Statutes upon boards of education in the several towns, except as otherwise provided by this Charter. The Board may be empowered by Charter with such other duties and powers which are not inconsistent with the Connecticut General Statutes.

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CHAPTER XI. MISCELLANEOUS PROVISIONS

SECTION 1101. Amendment of this Charter

This Charter may be amended in the manner prescribed by the Connecticut General Statutes. The Town Council shall cause the Charter to be reviewed at least once every fifteen (15) years.

SECTION 1102. Constitutionality

In case any portion of this Charter shall at any time be found to be unconstitutional, such findings shall not affect the remainder thereof, but as to such remainder this Charter shall remain in full force and effect until amended or repealed.

SECTION 1103. Definitions

The term “elector” as used in this Charter shall mean any person qualified under Section 9-1 (e) of the Connecticut General Statutes. The term “voter” as used in this Charter shall mean any natural person qualified to vote under Section 7-~~76~~ of the Connecticut General Statutes.

SECTION 1104. Usage

When the context so requires, the masculine gender shall include the feminine, and the singular shall include the plural, and the plural the singular.

SECTION 1105. Existing Laws and Ordinances

All general laws in their application to the Town and all ordinances and by-laws of the Town shall continue in full force and effect except as they are inconsistent with the provisions of this Charter.

SECTION 1106. Transition

All members of the Council, as well as those members of Boards and Commissions holding office as of the date of the adoption of this Charter, shall continue to hold such office, notwithstanding the expiration of their previously authorized term, until their reappointment or replacement pursuant to the provisions of this Charter, or until their reelections to the same positions for a new term.

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Effective _____, 2015

Louis LaPorteJim Tallberg, Chairman
James RicePhil Benoit, Vice Chairman
Margaret DeckerKevin Clements
Donald WatsonNeil Geldof

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